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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

vs.

GOOGLE, INC.,

Defendant.

Case No. C 10-3561 WHA

**DECLARATION OF JOHN L. COOPER IN
SUPPORT OF ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
RESPONSE OF DR. JAMES R. KEARL,
RULE 706 EXPERT, TO GOOGLE'S
MOTION TO STRIKE PORTIONS OF
EXPERT REPORT AND TESTIMONY OF
DR. JAMES R. KEARL**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William H. Alsup

I, John L. Cooper, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner at the law firm of Farella Braun + Martel LLP, attorneys of record for Rule 706 Expert, Dr. James R. Kearl, in the above captioned action. I submit this declaration in support of Dr. Kearl's Administrative Motion To File Under Seal his Response to Google's Motion to Strike Portions of Expert Report and Testimony of Dr. James R. Kearl. I have knowledge of the facts stated herein and if called as witness, I could and would competently testify thereto.

2. Attached hereto is an unredacted copies of Response of Dr. James R. Kearl, Rule

1 706 Expert, to Google's Motion to Strike Portions of Expert Report and Testimony of Dr. James
 2 R. Kearl, dated April 8, 2016, and Exhibits A through F to the Declaration of Dr. James R. Kearl
 3 in Support of Response of Dr. James R. Kearl, Rule 706 Expert, to Google's Motion to Strike
 4 Portions of Expert Report and Testimony of Dr. James R. Kearl. These documents contain
 5 information designated by Oracle America, Inc. and Google, Inc. as "Confidential—Attorney's
 6 Eyes Only." Oracle and Google are in dispute regarding which portions of Dr. Kearl's analysis
 7 should be kept confidential and which portions may be made public, so Dr. Kearl is requesting to
 8 file his entire response under seal. *See, e.g.*, Dkt. 1599. Google and Oracle have been provided
 9 with a copy of the entire unredacted response to allow them to designate which portions should
 10 remain undisclosed.

11 3. James R. Kearl takes no position on the redaction of the information designated as
 12 "Confidential—Attorney's Eyes Only."

13
 14 I declare under penalty of perjury under the laws of the State of California that the
 15 foregoing is true and correct.

16 Executed this 8th day of April 2016 at San Francisco, California.

17
 18 /s/ John L. Cooper
 19 John L. Cooper